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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant : Marshall L. Weingarden Date: JANUARY 12, 2006
Serial No. : 10/715,180 Art Unit: 3728
Filed : November 17, 2003 Examiner: Bryon P. Gehman
For : HUB POSTS FOR MOUNTING Docket No. A-03.71
INFORMATION-BEARING DISKS

APPELLANT'S REPLY BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

*Noted
BPG 1-24-06*

In reply to the EXAMINER'S ANSWER entered in the present appeal on November 15, 2005, appellant offers the following supplemental arguments:

Each of the rejected claims 1 through 21 calls for a combination of structural elements. One of these structural elements is set forth in terms of structure (a hub post constructed of a stiffly resilient material having a specific durometer) and function (providing a balance of resilient characteristics and renitent characteristics for establishing the desired selective gripping and selective release of a disk and for resisting deleterious compression and crushing while retaining the disk upon the post). The prior art is devoid of any disclosure or any suggestion of a combination of elements which includes either the structure or the function provided by that distinguishing structural element.